

### **REMARKS**

Claims 44 and 45 were pending prior to this Response. By the present communication, no claims have been added, canceled, or amended. Accordingly, upon entry of this communication, claims 44 and 45 will be under consideration in this application.

#### **Double Patenting**

Applicants respectfully traverse the rejection of claims 44 and 45 as allegedly being unpatentable on the ground of non-statutory obviousness-type double patenting over claims 1 and 2 of U.S. Patent No. 7,332,575. Submitted herewith is a terminal disclaimer disclaiming the terminal part of any patent granted on the above-identified U.S. Application No. 09/628,112 that would extend beyond the expiration date of U.S. Patent No. 7,332,575. Accordingly, withdrawal of the rejection is respectfully requested.

#### **Co-Pending Applications**

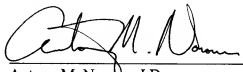
The Office Action requests that Applicants “identify any other co-pending applications directed to the same subject matter as the instant invention.” (Office Action, page 3). Without acquiescing to the reasoning of the Office Action, Applicants submit herewith an Information Disclosure Statement identifying co-pending applications that may be material to the patentability of the claimed subject matter in this application.

### Conclusion

In view of the amendments and above remarks, it is submitted that claims 44 and 45 are in condition for allowance, and a notice to that effect is respectfully requested. The Examiner is invited to contact Applicant's undersigned representative if there are any questions relating to this application.

The Commissioner is hereby authorized to charge the total amount of \$320.00 as payment for the Terminal Disclaimer fee (\$140) and the Information Disclosure Statement fee (\$180) to Deposit Account No. 07-1896. No other fee is believed to be due in connection with the filing of this paper. However, the Commissioner is hereby authorized to charge any fees that may be required by this paper, or credit any overpayment to Deposit Account No. 07-1896 referencing the above-identified attorney docket number.

Respectfully submitted,



Antony M. Novom, J.D.  
Registration No. 45,517  
Telephone: (858) 638-6641  
Facsimile: (858) 677-1465

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DLA PIPER LLP (US)  
4365 Executive Drive, Suite 1100  
San Diego, CA 92121-2133  
**USPTO Customer Number 28213**